

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUSTIN CARROLL, on behalf of Himself
and All Others Similiarly Situated,

Plaintiff,

v.

HENKEL US OPERATIONS CORP.,

Defendant.

Case No.: 1:25-cv-00402 (MAD/TWD)

**STIPULATION TO TRANSFER CASE TO
THE U.S. DISTRICT COURT FOR THE
WESTERN DISTRICT OF NEW YORK**

NOW COME Plaintiff Justin Carroll, on behalf of himself and all others similarly situated, and Defendant Henkel US Operations Corp., by and through their respective counsel, and enter into this Stipulation as follows:

1. On March 31, 2025, Plaintiff filed the instant action in the United States District Court for the Northern District of New York, alleging collective action and class action claims for payment of overtime wages pursuant to the Fair Labor Standards Act, payment of overtime wages pursuant to the New York Labor Law, payment of regular wages pursuant to New York Labor Law, and notice and recordkeeping violations pursuant to New York Labor Law.

2. Thereafter, counsel for Defendant initiated discussion with counsel for Plaintiff requesting Plaintiff stipulate to transferring the venue of the instant matter from this Court to the U.S. District Court for the Western District of New York, on the basis that the plant where Plaintiff and putative class members worked is located at 300 Forge Avenue, Geneva, New York, which is located in the County of Ontario, State of New York (*see Complaint* ¶¶ 16, 34).

3. Counsel for Plaintiff and Defendant have conferred and, without Defendant waiving any right to challenge any of the allegations set forth in the Complaint and, in fact, specifically preserving any and all rights and defenses that Defendant may have with regard to the allegations and claims set forth in the Complaint other than as stated herein, agree that all of the events giving rise to the claims asserted occurred in the County of Ontario, which lies within the Western District of New York, pursuant to 28 U.S.C. § 112(d) (establishing the Western District of New York, which includes Ontario County).

4. Accordingly, Plaintiff and Defendant agree that the Western District of New York is the appropriate venue to hear this case. Plaintiff and Defendant further agree that entering into this Stipulation will best preserve the resources of the United States Courts and the Parties, and will not prejudice any party.

NOW, THEREFORE, Plaintiff Justin Carroll, on behalf of himself and all others similarly situated, and Defendant Henkel US Operations Corp., by and through their respective counsel, hereby stipulate that this Court should transfer this action to the United States District Court for the Western District of New York for any and all further proceedings, and further stipulate that all proceedings regarding this matter are stayed until further order of the Court.

DATED: New York, New York and Buffalo, New York
June 25, 2025

KESSLER MATURA P.C.

**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

/s/ Garrett Kaske

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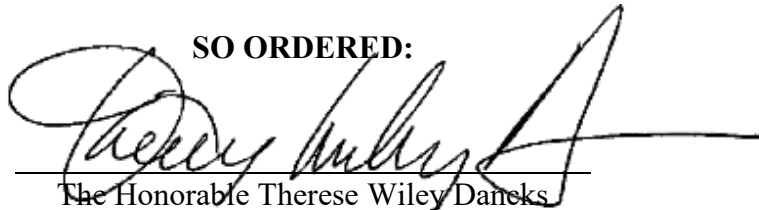
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*Attorneys for Defendant
Henkel US Operations Corp.*

SO ORDERED:



The Honorable Therese Wiley Daneks
United States Magistrate Judge